

December 19, 2017

**VIA ELECTRONIC FILING**

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

**Re: WC Docket No. 17-287 - Bridging the Digital Divide for Low-Income Consumers**  
**WC Docket No. 11-42 – Lifeline and Link Up Reform and Modernization**  
**WC Docket No. 09-197 – Telecommunications Carriers Eligible for Universal Service Support**  
**NOTICE OF EX PARTE PRESENTATION**

Dear Ms. Dortch:

On December 18, 2017, Mark Rubin, Senior Executive – Government Relations, TracFone Wireless, Inc. (“TracFone”), Javier Rosado, Senior Officer – Business Development and Government Services, TracFone (by telephone), David Avila, Assistant Vice President – Lifeline Services, TracFone (by telephone), Josh Finestone, Navigators Global, and undersigned counsel for TracFone, met with Nicholas Degani, Senior Counsel to Chairman Ajit Pai.

During the meeting, we discussed the Commission’s Fourth Report and Order, Order on Reconsideration, Memorandum Opinion and Order, Notice of Proposed Rulemaking and Notice of Inquiry, released December 1, 2017 in the above-captioned proceedings (FCC 17-155). Specifically, we discussed the Commission’s proposal to eliminate wireless resellers from participation in the Lifeline program. We noted that at paragraph 68 of that document, the Commission states that “the vast majority of Commission actions revealing waste, fraud and abuse . . . have been against wireless resellers.” We explained that the statement that most “Commission actions” involving Lifeline waste, fraud and abuse does not mean that most waste, fraud and abuse have been caused by wireless resellers since the Commission and its Enforcement Bureau exercise discretion against whom to initiate enforcement actions. We explained further that the Commission should examine the results of the In-depth Validations conducted by the Universal Service Administrative Company in the 2011-2012 time period to ascertain the performance of all Lifeline providers, not just wireless resellers, during that period.

Further, we expressed appreciation for the Commission seeking comment on conduct-based criteria for program participation rather than on carrier status factors (such as facilities ownership). We also discussed the merits of the Commission taking into account a carrier’s overall business model, including whether it relies on services other than those supported by the federal Universal Service Fund to generate revenue, as a factor in evaluating eligibility for participation in the Lifeline program.

Ms. Marlene H. Dor ch  
December 19, 2017  
Page 2 of 2

Pursuant to Section 1.1206(b) of the Commission's rules, this letter is being filed electronically. If there are questions, please communicate directly with undersigned counsel for TracFone.

Sincerely,



Mitchell F. Brecher

*Counsel to TracFone Wireless, Inc.*

cc: Mr. Nicholas Degani